

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

JOEL B. CARTER,)	
)	
Plaintiff,)	
)	
v.)	No. 15-2011
)	
JERRY COLLINS, CEO of MEMPHIS,)	
LIGHT, GAS & WATER.)	
)	
Defendant.)	

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

On January 5, 2015, Plaintiff Joel B. Carter ("Plaintiff") filed his pro se Complaint against Defendant Jerry Collins, CEO of Memphis Light, Gas, and Water ("Defendant"). (ECF No. 1.) Plaintiff brings his claims in forma pauperis. (ECF No. 5.)

Before the Court is the Magistrate Judge's January 26, 2015 Report and Recommendation (the "Report") recommending that the case be dismissed. (Report, ECF No. 6.) No objection has been filed to the Report and the time to do so has passed. For the following reasons, the Report is ADOPTED and the case is DISMISSED.

Congress enacted 28 U.S.C. § 636 to relieve the burden on the federal judiciary by permitting the assignment of district court duties to magistrate judges. See United States v. Curtis, 237 F.3d 598, 602 (6th Cir. 2001) (citing Gomez v. United

States, 490 U.S. 858, 869-70 (1989)); see also Baker v. Peterson, 67 F. App'x 308, 310 (6th Cir. 2003). "A district judge must determine de novo any part of a magistrate judge's disposition that has been properly objected to." Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1)(C). After reviewing the evidence, the court is free to accept, reject, or modify the proposed findings or recommendations of the magistrate judge. 28 U.S.C. § 636(b)(1)(C). The district court is not required to review – under a de novo or any other standard – those aspects of the report and recommendation to which no objection is made. Thomas v. Arn, 474 U.S. 140, 150 (1985). The district court should adopt the findings and rulings of the magistrate judge to which no specific objection is filed. Id. at 151.

Plaintiff asserts various claims under federal and state law. (Report at 4-8.) The Magistrate Judge finds that Plaintiff has failed to state a claim upon which relief can be granted for all of his federal-law claims. (Id. at 8.) The Magistrate Judge recommends dismissing the federal-law claims. (Id.) Based on the recommended dismissal of the claims over which the Court has original jurisdiction, the Magistrate Judge recommends that the Court decline supplemental jurisdiction over the state-law claims and dismiss them. (Id.)

The Report states that any objections must be filed within 14 days after service of the Report, and that failure to file

objections or exceptions within 14 days may constitute waiver of objections, exceptions, and any further appeal. (Id. at 9 (citing 28 U.S.C. § 636(b)(1)(C)).)

Because no party has objected, Arn counsels the Court to adopt the Report in its entirety. Arn, 474 U.S. at 151. Adopting the Report is consistent with the policies underlying § 636, specifically judicial economy and protecting against the "functions of the district court [being] effectively duplicated as both the magistrate and the district court perform identical tasks." Howard v. Sec'y of Health & Human Servs., 932 F.2d 505, 509 (6th Cir. 1991).

For the foregoing reasons, the Magistrate Judge's Report is ADOPTED and the case is DISMISSED.

So ordered this 4th day of February, 2015.

s/ Samuel H. Mays, Jr. _____
SAMUEL H. MAYS, JR.
UNITED STATES DISTRICT JUDGE